

HOW TO ASK THE COURT TO PARTICIPATE IN A COURT CASE FOR FREE

Who can ask the court to participate in a court case for free?

Anyone who must pay a fee as part of a court case. You can ask for yourself, your minor child, or an incompetent adult, but not for anyone else.

How will I know if there is a fee?

The Circuit Clerk can tell you if there is a fee for filing a document with the court. Other fees might come up during the case. For example, the judge might tell you about a fee or the Sheriff's Department might tell you about a fee for service of court papers.

What forms do I need to fill out to ask the court to let me participate in a case for free?

- **Application for Waiver of Court Fees:** to give your income and expense information to the court so it can decide if you can participate in a court case for free.
- **Order for Waiver of Court Fees:** is used by the judge to say your application is granted or denied.

Where can I find the forms I need?

You can find forms at:

<http://www.illinoiscourts.gov/Forms/approved/>.

Is there a deadline for filing an *Application for Waiver of Court Fees*?

- No. You can file an *Application for Waiver of Court Fees* at any time during the court case.
- But it might take the court a couple of days to review your application and to decide whether you have to pay the filing fees, so don't wait until the last minute.
- You are responsible for knowing if there are other deadlines to file documents.

Do I have to pay to file an *Application for Waiver of Court Fees*?

No, there is no cost for filing an *Application for Waiver of Court Fees*.

Do I have to file an *Application for Waiver of Court Fees* each time I want to file something?

No. Once the court grants an *Order for Waiver of Court Fees*, you should not have to fill out another application during the court case, unless the court requests more information from you.

What do I do after I fill out the *Application for Waiver of Court Fees* and *Order for Waiver of Court Fees*?

Step 1 – File the forms with the Circuit Clerk.

- You must file the forms in the county where the court case is filed.
- The courthouse address may be on court papers you received. Or you can find the courthouse address at: www.illinoiscourts.gov/circuitcourt/circuitmap/map1.asp
- Make a copy of the completed *Application for Waiver of Court Fees* for yourself.
- Bring the original and the copy of: 1) the completed *Application for Waiver of Court Fees*, 2) the *Order for Waiver of Court Fees*, and 3) any other court documents you are filing to the Circuit Clerk at the courthouse.
- The Circuit Clerk will stamp and keep the original *Application for Waiver of Court Fees* and put it in the court file.
- The Circuit Clerk will stamp the extra copy of your *Application for Waiver of Court Fees* and return the copy to you. Keep the copy for your records.
- *Note:* Depending on where you live, you may be able to file online. Check your Circuit Clerk's website to see if online filing is an option. Find your Circuit Clerk's website at: <http://www.ilcourtclerks.org/illinois-court-clerks/>.

Step 2 – Wait for a decision.

- The court will review your *Application for Waiver of Court Fees* and decide whether you have to pay the court fees.
- The court may need more information from you. The court may want to have a hearing on your application. The court will notify you if you need to give more information or documents, or go to court.
- After the court makes a decision, the court will fill out the *Order for Waiver of Court Fees*. The *Order for Waiver of Court Fees* will say if you have to pay court fees. The court will give you a copy of this *Order*.
- The Circuit Clerk will tell you how and when you will get a copy of the *Order for Waiver of Court Fees*.
- If the court decides you have to pay the court fees and you do not pay by the deadline in the *Order for Waiver of Court Fees*, the court may dismiss your case or find against you.
- If the court decides you do not have to pay court fees and you win your case and get money from the other side, the court may make you use all or part of this money to pay the court fees.